

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In re: Rodney F. Yemma

Petition No. 2001-0711-010-045

REINSTATEMENT CONSENT ORDER

WHEREAS, Rodney F. Yemma of Wakefield, Rhode Island (hereinafter "respondent") has been issued license number R55970 to practice as a registered nurse by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 378 of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent's license expired on February 28, 1999, and respondent has now applied to have said license reinstated by the Department pursuant to Chapter 368a of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent hereby admits as follows:

1. While practicing at Westerly Health Center in Westerly, Rhode Island, respondent engaged the aid of two nursing assistants to restrain a patient's hands so that he could administer oral medication, despite the patient's attempts to refuse said medication. This incident occurred on or about March 20, 2000.
2. Pursuant to a Consent Order issued by the Rhode Island Department of Health, Board of Nurse Registration and Nursing Education, respondent's registered nurse license was placed on probation for two years. The effective date of the order was February 12, 2001.
3. That the conduct described above constitutes grounds for denial of respondent's application for reinstatement pursuant to §19a-14(a)(6) of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §19a-14 of the General Statutes of Connecticut, as amended, respondent hereby stipulates and agrees as follows:

1. He waives his right to a hearing on the merits of this matter.
2. After satisfying the requirements for reinstatement of licensure as a registered nurse as set forth in Chapter 378 of the General Statutes of Connecticut, respondent's license to practice as a registered nurse will be reinstated.
3. Immediately upon issuance, respondent's license shall be placed on probation for eighteen (18) months under the following terms and conditions:
 - a) Respondent shall provide his employer at each place where respondent practices as a registered nurse throughout the probationary period with a copy of this Reinstatement Consent Order within fifteen (15) days of its effective date, or within fifteen (15) days of commencement of employment at a new facility. Said employer shall furnish written confirmation to the Department of receipt of this Reinstatement Consent within thirty (30) days post employment of the respondent. Respondent agrees to provide quarterly reports from such employer for the entire probationary period, stating that respondent is practicing with reasonable skill and safety.
 - b) Respondent shall attend twenty (20) hours of classroom training dedicated to medical nursing ethics. Such program must be pre-approved by the Department. Respondent shall have documentation of completion of said education program forwarded directly to the Department. Said program shall be completed within one (1) year of the effective date of this Reinstatement Consent Order.
 - c) Respondent shall not be designated as the only licensed nurse on unit of a chronic and convalescent nursing home and/or rest home with nursing supervision and shall not

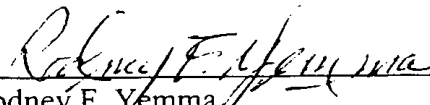
assume the role or title of charge nurse until completion of the twenty-hour classroom program dedicated to medical nursing ethics.

4. Respondent shall comply with all federal and state statutes and regulations applicable to his license.
5. Respondent shall notify the Department of any change(s) in his employment within fifteen (15) days of such change.
6. Respondent shall notify the Department of any change in his home and/or business address within fifteen (15) days of such change.
7. Any deviation from the terms of this Reinstatement Consent Order without prior written approval of the Department shall constitute a violation. A violation of any term(s) of this Reinstatement Consent Order may result in the Department exercising its discretion to immediately deem respondent's registered nurse license rescinded. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department's right to take action at a later time. The Department shall not be required to grant future extensions of time or grace periods. Notice of the rescission of the license shall be sent by the Department to respondent's address of record. Respondent waives any right to a hearing on the issue of violation of the terms of this Reinstatement Consent Order.
8. Correspondence and reports required by the terms of this Reinstatement Consent Order are to be addressed to:

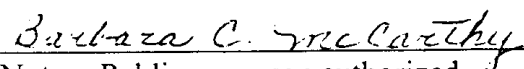
Bonnie Pinkerton, Nurse Consultant
Department of Public Health
Division of Health Systems Regulation
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, Connecticut 06134-0308

9. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department.
10. Respondent understands this Reinstatement Consent Order may be considered as evidence of the above-admitted violations in any proceeding before the Connecticut State Board of Examiners for Nursing in which (1) his compliance with this Reinstatement Consent Order is at issue, or (2) his compliance with §20-99 of the General Statutes of Connecticut, as amended, is at issue.
11. This Reinstatement Consent Order and the terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Reinstatement Consent Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the Connecticut General Statutes provided that this stipulation shall not deprive respondent of any other rights that he may have under the laws of the State of Connecticut or of the United States.
12. This Reinstatement Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
13. This Reinstatement Consent Order is effective when accepted and approved by a duly appointed agent of the Department.
14. Respondent has the right to consult with an attorney prior to signing this document.
15. This Reinstatement Consent Order is a matter of public record.

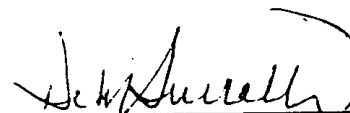
I, Rodney F. Yemma, have read the above Reinstatement Consent Order, and I agree to the terms and allegations set forth therein. I further declare the execution of this Reinstatement Consent Order to be my free act and deed.


Rodney F. Yemma

Subscribed and sworn to before me this 8th day of August 2001.


Notary Public or person authorized
by law to administer an oath or
affirmation

The above Reinstatement Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 14th day of August 2001, it hereby ordered and accepted.


Debra Turcotte, Director
Division of Health Systems Regulation

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